

**FILED**

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CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**GENEVA FRANCE,**

Defendant.

**CASE NO. 1:05-sr-00536**

**JUDGE PATRICIA A. GAUGHAN**

**MAGISTRATE JUDGE**

**NANCY A. VECCHIARELLI**

**ORDER SPECIFYING METHODS  
AND CONDITIONS OF RELEASE**

**METHODS OF RELEASE**

**IT IS HEREBY ORDERED** that the above-named defendant be granted pretrial release upon satisfaction of the requirement marked below:

- ☒ The defendant shall be released upon the execution of an unsecured appearance bond in the sum of \$ 20,000.00.
- ( ) The defendant shall be released upon the execution of a bond binding himself to pay to the United States the sum of \$ \_\_\_\_\_, secured by the deposit in the Registry of the Court the sum of \$ \_\_\_\_\_. Such deposit shall be returned to the defendant, or to such other person as may have made the deposit on the defendant's behalf, upon satisfaction of all conditions of the defendant's release. Such deposit shall be subject to forfeiture, upon further Order of Court, in the event of violation of a condition of release.
- ( ) The defendant shall be released upon the execution of a bond in the sum of \$ \_\_\_\_\_ secured by the undertakings of an approved surety.
- ( ) The defendant shall be released upon the execution of a bond in the sum of \$ \_\_\_\_\_, secured by the deposit of an equal amount of cash or unencumbered negotiable securities.

- ( ) The defendant shall be released upon the execution of a bond in the sum of \$ \_\_\_\_\_, secured by the deposit of the following collateral:

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### **CONDITIONS OF RELEASE**

**IT IS FURTHER ORDERED** that, pursuant to the terms of the Bail Reform Act, 18 U.S.C. §3141 et seq., defendant's release shall be subject to the terms and conditions set forth below, those applicable to this defendant being denoted by a mark in the proper box.

- (X) Defendant shall not commit a federal, state or local offense while on pretrial release.
- (X) Defendant shall not by any means, intimidate or attempt to intimidate a witness, juror or officer of the court (18 U.S.C. §1503, maximum possible penalty 5 years, \$5,000 or both).
- (X) Defendant shall not, by means of bribery, obstruct or hinder, or attempt to obstruct or hinder, a criminal investigation (18 U.S.C. §1510, maximum possible penalty 5 years \$5,000 or both).
- (X) Defendant shall not, by any means, influence or tamper with a witness, victim or informant, or attempt to do so (18 U.S.C. §1512, maximum possible penalty 10 years, \$250,000 or both).
- (X) Defendant shall not harass any witness, victim or informant, or attempt to do so, intending to hinder, delay or obstruct the course of a criminal investigation (18 U.S.C. §1512(b), maximum possible penalty one year, \$25,000 or both).
- (X) Defendant shall not, in any manner, retaliate against a witness, victim or informant, or threaten to do so (18 U.S.C. §1513, maximum possible penalty 10 years, \$250,000 or both).
- (X) Defendant shall not enter into any agreement to act as an informant or special agent without the permission of the Court.

(X) Defendant shall notify the court immediately upon any change of address.

(X) Defendant shall appear at all further proceedings related to, or arising from, the charges made against him or her in this proceeding, upon due and proper notice of such further proceedings.

(X) Defendant's travel is restricted to the Northern District of Ohio \_\_\_\_\_, subject to further Order of Court. (See attached map.)

~~X~~ Defendant shall participate in the Pretrial Services supervisory program, and shall comply with all valid directives of the supervising officer. The supervising officer is granted authority to structure and enforce all particulars of the defendant's program, subject to further Order of the Court.

Supervision shall include, but is not limited to:

- ~~X~~ Drug and/or alcohol monitoring and testing } *as deemed necessary by PTS*  
~~X~~ Drug and/or alcohol treatment  
( ) Home confinement with electronic monitoring  
( ) The defendant shall pay the cost of electronic monitoring.  
( ) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

~~X~~ Defendant shall continue to reside at the address indicated in Attachment A with \_\_\_\_\_

( ) Defendant shall be in third-party custody as set forth in Attachment B.

(X) Defendant shall not possess any firearm, destructive device or other dangerous weapon.

( ) Defendant shall refrain from use of any narcotic drug or other controlled substance, other than upon physician's prescription, and shall refrain from excessive use of alcohol.

( ) The defendant shall maintain or actively seek employment.

( ) The defendant shall maintain or commence an educational program.

- ( ) The defendant shall avoid all contact with the following named persons, who are considered either alleged victims or potential witnesses:

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- ( ) The defendant shall surrender any passport to Pretrial Services.

- ( ) The defendant shall obtain no passport.

- ( ) Special condition(s):

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## **POSSIBLE PENALTIES FOR VIOLATION OF CONDITIONS OF RELEASE**

The defendant shall take notice that in the event of a violation of any of the conditions of release he or she may be subject to any or all of the following:

- 1) An immediate warrant of arrest may issue.
- 2) Any monies or collateral posted as security for bond may be forfeited.
- 3) Pretrial release as ordered may be revoked, and release ordered upon new terms and conditions.
- 4) Pretrial release as ordered may be revoked, and the defendant held in detention until conclusion of all further proceedings.
- 5) Knowing failure to appear before a court as required by the conditions of release or knowing failure to surrender for service of sentence pursuant to a court order may constitute a separate offense under 18 U.S.C. §3146(a), which is subject to the following maximum possible penalty:
  - (i) for an offense punishable by death, life imprisonment, or imprisonment for a term of 15 years or more, a \$250,000 fine or imprisonment for not more than ten years, or both;
  - (ii) for an offense punishable by imprisonment for a term of five years or more, a \$250,000 fine or imprisonment for not more than five years, or both;
  - (iii) for any other felony, a \$250,000 fine or imprisonment for not more than two years, or both; or
  - (iv) for a misdemeanor, a \$100,000 fine or imprisonment for not more than one year, or both.

Any term of imprisonment imposed for violation of 18 U.S.C. §3146(a) shall be consecutive to the sentence of imprisonment for any other offense.

- 6) Contempt of court proceedings may be initiated under 18 U.S.C. §401, for which the maximum possible penalty is 6 months, \$1,000 or both.

If the violation of a condition of release is by virtue of the defendant's conviction of an


offense committed while upon pretrial release, there shall be imposed, in addition to and consecutive to the sentence prescribed for that other offense, a term of imprisonment of up to ten (10) years if the new offense was a felony or a term of up to one (1) year if the new offense was a misdemeanor.

  
NANCY A. VECCHIARELLI  
United States Magistrate Judge

DATE: November 10, 2005

**ACKNOWLEDGMENT BY DEFENDANT**

All the terms and conditions of pretrial release and the possible penalties for violation of any condition or the committing of another offense while upon pretrial release have been explained to me in open court, and the opportunity given me to seek a clarification of anything which I did not understand. I have been given the opportunity to read this entire document before signing. I understand all the terms and conditions of my release and the possible penalties and/or consequences of violation of any of those terms and conditions, and agree to fully comply with all such terms and conditions of pretrial release.

  
DEFENDANT

**TO THE UNITED STATES MARSHAL**

Upon compliance by the defendant with the requirements for Method of Release specified herein, you shall release the defendant from your custody, subject to his or her having completed the required processing procedures. Until such time as those requirements are satisfied you shall maintain the defendant under detention, and shall produce him or her at such time and place as specified for further proceedings.

  
NANCY A. VECCHIARELLI  
United States Magistrate Judge

DATE: November 10, 2005